

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:08-CV-539-MR-DCK**

| | | |
|-------------------------------------|---|---------------------|
| IKON OFFICE SOLUTIONS, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| KONICA MINOLTA BUSINESS |) | |
| SOLUTIONS U.S.A., INC. and |) | |
| WILLIAM J. CIMLER, |) | |
| |) | |
| Defendants. |) | |
| |) | |

THIS MATTER IS BEFORE THE COURT on “Plaintiff’s Motion to File Documents Under Seal” (Document No. 35) filed July 6, 2009. Defendants have not opposed the motion and have not filed a response. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b) and immediate review is appropriate. Having carefully considered the record, and for good cause shown, the undersigned will grant the motion.

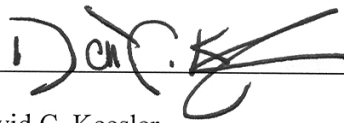
Local Civil Rule 6.1(C) requires that a motion to file materials under seal shall set forth “(1) a non-confidential description of the material sought to be sealed; (2) a statement as to why sealing is necessary and why there are no alternatives to filing under seal; (3) unless permanent sealing is sought, a statement as to the period of time the party seeks to have the material maintained under seal and as to how the matter is to be handled upon unsealing; and (4) supporting statutes, case law or other authority.” LCvR 6.1.

Plaintiff explains that the materials to be submitted under seal are trade secrets and/or confidential matters subject to the protective order previously entered in this case. (Document No. 30, “Protective Order” entered May 27, 2009). Plaintiff indicates that Exhibits B, C, D and F to

Plaintiff's Motion to Compel are subject to the designation "for attorneys' eyes only" under the protective order. *See, e.g., In re Wilson*, 149 F.3d 249, 252 (4th Cir.1998) (Fed.R.Civ.P. 26(c)(7) provides that for good cause shown, a court may enter a protective order requiring that a trade secret ... not be revealed or be revealed only in a designated way). In accordance with the terms of the protective order in the present case, the undersigned will grant the Plaintiff's request.

IT IS, THEREFORE, ORDERED that the "Plaintiff's Motion to File Documents Under Seal" (Document No. 35) is **GRANTED**; Exhibits B, C, D and F to Plaintiff's Motion to Compel shall be filed under seal.

Signed: August 25, 2009



David C. Keesler
United States Magistrate Judge

